

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3527/2dn  
PG:wlj:jf

September 1, 2005

Representative Sherman:

This draft adheres to your suggested language except that I did not exempt the condemnation of nonblighted property located in a blighted area because I think that in those situations, the purpose *is* expressly authorized by statute.

Regarding my previous suggestion, that condemnation be prohibited if the condemnor intends to convey the acquired property to a private entity, condemnation by a utility or railroad would be OK under that language because the utility or railroad would be acquiring the property for its own use, not to convey the property to another private entity.

Note that I added the treatment of s. 32.02 (1) because it appears to be in direct conflict with the new language. OK?

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